

REMARKS**Status of the Claims**

Claims 1, 2, 7, 15, 18, 21-23, 29-31 and 34-41 are pending in this application, the independent claims being claims 1, 2, 38 and 39. By this Amendment, independent claims 1, 2, 38 and 39 are amended, and claims 40 and 41 are newly presented. Claims 3-6, 8-14, 16, 17, 19, 20, 24-28, 32 and 33 previously were canceled.

Summary of the Official Action

In the Official Action, claims 1, 2, 7, 15, 18, 21-23, 29, 30 and 34-39 were rejected under 35 U.S.C. 103(a), as unpatentable over U.S. Patent no. 6,753,939 (Jisaki), in view of U.S. Patent Application Publication No. 2002/0071070 (Yano) and U.S. Patent No. 6,201,592 (Terashita), and claims 1, 2, 22, 29-31 and 37 were rejected under 35 U.S.C. 103(a), as unpatentable over U.S. Patent Application Publication No. 2001/0055082 (Kubo), in view of the Jisaki '939 patent, the Yano '070 publication and the Terashita '592 patent.

Reconsideration and withdrawal of the rejections respectfully are requested in view of the above amendments and the following remarks.

Claim Amendments

The rejections of the claims over the cited art respectfully are traversed. Nevertheless, without conceding the propriety of the rejections, independent claims 1, 2, 38 and 39 have been amended more clearly to recite various novel features of the claimed invention, with particular attention to the Examiner's comments. Specifically, each of independent claims 1, 2, 38 and 39 has been amended to clarify that the first polarizer linearly polarizes incident light and the first retardation film converts the linearly polarized light that has passed through the first polarizer into circularly polarized light, and the second polarizer linearly polarizes light from the illumination device, and the second retardation film converts the linearly polarized light that has passed through the second polarizer into circularly polarized light.

Support for the amendments may be found in the original application, e.g., at paragraph [0092]. Newly presented claims 40 and 41 depend from claims 1 and 2, respectively, and have been added to provide Applicant with additional scope of coverage commensurate with the disclosure. No new matter has been added.

Prior Art Distinguished

Applicant submits that the prior art fails to anticipate the claimed invention. Moreover, Applicant submits that there are differences between the subject matter sought to be patented and the prior art, such that the subject matter taken as a whole would not have been obvious to one of ordinary skill in the art at the time the invention was made.

The Jisaki '939 patent relates to an LCD device with vertically oriented liquid crystal section under no voltage condition. However, as acknowledged by the Examiner, the Jisaki '939 patent fails to disclose or suggest at least the feature where the sum $W1$ satisfies $0.5 \times Rt \leq W1 \leq 0.75 \times Rt$, and that $n_{x1} > n_{y1} > n_{z1}$ and $n_{x2} > n_{y2} > n_{z2}$, as disclosed in the application and recited in the claims.

The Yano '070 publication relates to an optical device and liquid-crystal display apparatus, and is cited for its alleged disclosure, at paragraphs [0028] et seq., of the use of retardation films satisfying $n_x \sim n_y > n_z$ in optical devices, and that such optical devices should have a sum $W1$ satisfying $0.5 \times Rt < W1 \leq 1.3 \times Rt$, or more preferably $0.7 \times Rt \leq W1 \leq 1.0 \times Rt$, ranges that overlap the recited range; the Examiner asserts that such overlapping ranges create a prima facie case of obviousness, particularly in view of **the Terashita '592 patent**, which allegedly teaches that $n_x \sim n_y > n_z$ and $n_x > n_y > n_z$ are equivalent.

Without conceding the propriety of the Examiner's characterizations of the Yano '070 publication and the Terashita '592 patent, Applicant submits that the cited art fails to disclose or suggest at least the above-discussed features of independent claims 1, 2, 38 and 39. In particular, the Yano '070 publication teaches a retardation plate for optical compensation (see

paragraph [0025])). In order to perform such optical compensation, the values of n_x and n_y need to be as close as possible. Hence, the Yano '070 patent teaches that the product of $|n_x - n_y|$ and the thickness of the retardation plate is allowed to vary in a range of not more than 10nm. (see paragraph [0027])). A retardation plate with such close values of n_x and n_y would not be capable of converting linear polarized light into circularly polarized light.

In this regard, Applicant further notes that the liquid crystal layers 11, 12 of the retardation plate (optical device) 1 in the Yano '070 publication structure selectively reflect and transmit circularly polarized light. This is a feature of cholesteric liquid crystal and should not be confused with converting linearly polarized light into circularly polarized light, as disclosed in the present application and recited in the claims.

Applicant submits that the other prior art of record, including **the Kubo '082 publication**, fails to remedy these deficiencies or add anything to the Jisaki '939 patent, the Yano '070 publication and/or the Terashita '592 patent that would make obvious the claimed invention.

For the above reasons, Applicant submits that claims 1, 2, 38 and 39 are allowable over the cited art.

Claims 7, 15, 18, 21-23, 29-31, 34-37, 40 and 41 depend from claims 1, 2, 38 and 39, and are believed allowable for the same reasons. Moreover, each of these dependent claims recites additional features in combination with the features of its respective base claim and is believed allowable in its own right. Individual consideration of the dependent claims respectfully is requested.

Conclusion

Applicant believes that the present Amendment is responsive to each of the points raised by the Examiner in the Official Action, and submits that the present application is in condition for allowance. Favorable consideration of the claims and passage to issue of the application at the Examiner's earliest convenience earnestly are solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,

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Date: May 3, 2006

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